

## **Nonconforming Billboard Proposal Final Version 10/22/08**

**Introduction** – Staff and the Subcommittee have undertaken a review of nonconforming (N-C) billboard regulatory issues during several meetings. This is a major topic and a very large task, and all have given their best effort to this effort, despite a pressing time line. Some surprising statistics were presented during the work, including 86% of all GSO billboards being N-C. According to current regulations, all N-C signs are supposed to be brought into conformance when changes are made on a site. Proposals to allow them to remain and be rebuilt permanently should only occur with clear community visual improvements resulting. Staff has discussed the various ideas and issues brought up along the way and offers two recommendations to the Subcommittee and Sign Committee.

**Recommendation #1: Support reconstruction of any N-C billboards on the same sites, with “clearly improved appearance” design standards, and allow new signs to achieve conforming status; required standards for these new signs would be:**

1. **Compatible sign frame** – require a frame be constructed on all four sides of any new sign face, equal to at least 12 inches, or 10% of the sign face width and height, utilizing materials judged clearly compatible with (or matching) traditional materials, styles, colors of nearby buildings and structures. This provision would not apply to billboards within 400 feet of an interstate highway. The TRC would review design compatibility of the proposed sign frame.
2. **Sign Placement** - when a new sign is located attached to or near a building, it shall be sized and located in an appropriate manner, so as not to cover or substantially block the view of architectural building elements or active windows & doors and not to overhang edges of the building. Also, no digital or electronic billboard shall be placed within 1000 feet of another digital billboard facing the same direction
3. **Reduced visual impact** – to offset the construction of a permanent, new, conforming sign, the sign must reduce visual impacts as noted:
  - a. **Reduced sign face** – should reduce size of oversized 14'x48' signs to no larger than 11'x36'. Billboards currently smaller than 11' x 36' may not be enlarged;
  - b. **Reduced sign height** – should reduce the height of the sign to a maximum of 30 feet (current maximum is 40 feet). Mobility to increase heights shall be permitted as long as the overall height does not exceed 30 feet;
  - c. **Eliminate multiple visible faces** – with existing multi-face billboard structures, shall not erect either stacked or side-by-side sign faces, visible from the same direction. If there exists “side-by-side” or stacked billboard whose individual sign areas are smaller

than 11'x36', both signs may be removed and replaced by one 11'x36' billboard.

**d. Electronic Billboards –**

- i. Brightness:** maximum brightness of electronic signs shall be 1,000 lumens at night and 7,500 lumens during the day. When sign is NOT located along an interstate highway, shielded cut-off fixtures to prevent light spillover shall be used.
  - ii. White content -** a maximum of 33% white (or bright) colors are permitted.
  - iii. Content change -** maximum content change every 8 seconds when within 400 feet of an interstate highway. In all other areas the billboard must comply with the district requirements for Electronic Message Boards for the district in which the billboard is located. All messages are to be static with no flashing or transitional animation of any kind between messages. Sequential messaging shall be prohibited.
  - iv. Near residential zoning -** when located within 300 feet of residential zoning, the billboard shall be turned off by 12 am, and a Special Use Permit shall be required prior to conversion. In addition, the conversion to a digital billboard in the Downtown Design Overlay shall be only permitted with an SUP. Digital billboards shall be prohibited in the Historic Core.
4. **Landscaping** – to offset the construction of a permanent new sign, landscaping shall be provided on site, either below the sign face or next to the sign in a visible location. If plantings are judged by TRC to not be feasible to be placed on site, a modification of equal or better “payment in lieu of” landscaping planting may be made to the GBI/City tree planting fund. On-site plantings shall not obscure the view of the sign, shall be primarily evergreen materials and shall fit with Type C (10' wide) planting yard standards for the distance of the sign width. Public art installations may be provided in place of up to 50% of the landscaping requirement, in consultation with the public arts commission and/or the United Arts Council.
5. **Location of sign** – the new sign may be located in the same place on the same property, unless another location within 200 feet is shown to have equal or better performance in fitting with the current or proposed site development and to have no greater visual impact from surrounding streets. The TRC would need to grant a modification for such sign location, after making such findings. If meeting the above guidelines, the site may also be located on an abutting site owned by the same party as the original site.
6. **Conforming status of sign** – if a sign is constructed in full conformance with these “clearly improved appearance” guidelines, the sign shall be

considered a fully conforming billboard. Accordingly, provisions of Development Ordinance ***Sec. 30-5-5.11 Nonconforming signs and sign permits***, shall no longer be applicable to such signs.

**Recommendation #2:** While an initial review was begun, there is a short period of time available to study other billboard issues. In particular, there are a number of complex issues needing closer examination on the topic of allowing new billboards in new locations in the community. Accordingly, it is recommended that further study of these issues be postponed beyond the current study effort and revisited following adoption of the Land Development Ordinance, in accordance with direction from the City Council.